

AMENDED IN SENATE MARCH 22, 2011

SENATE BILL

No. 759

Introduced by Senator Lieu

February 18, 2011

~~An act to amend Section 7102 of the Labor Code, relating to safety in employment. An act to amend Section 1353.8 of the Civil Code, relating to common interest developments.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 759, as amended, Lieu. ~~Safety in employment: buildings. Common interest developments: artificial turf.~~

Existing law requires a local agency to adopt a specified updated model ordinance regarding water-efficient landscapes or a water-efficient landscape ordinance that is at least as effective in conserving water as the updated model ordinance. Existing law allows certain water providers to take specified actions regarding water conservation.

The Davis-Stirling Common Interest Development Act provides for the creation and regulation of common interest developments. That act provides that a provision of any of the governing documents of a common interest development is void and unenforceable if it prohibits, or includes conditions that have the effect of prohibiting, the use of low water-using plants as a group, or if it has the effect of prohibiting or restricting compliance with a local water-efficient landscape ordinance or water conservation measure, as described above.

This bill would provide that a provision of any of the governing documents of a common interest development shall be void and unenforceable if it prohibits, or includes conditions that have the effect of prohibiting, the use of artificial turf or any other synthetic surface

that resembles grass. This prohibition would not prohibit an association from applying landscape rules and regulations established in governing documents that establish design standards and quality standards for the installation of artificial turf, or any other synthetic surface that resembles grass, to the extent the rules and regulations do not prohibit the use of artificial turf or any other synthetic surface that resembles grass.

~~Existing law establishes safety requirements relating to floors and walls in buildings under construction or repair.~~

~~This bill would make nonsubstantive changes to those provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: no.

State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1353.8 of the Civil Code is amended to
2 read:

3 1353.8. (a) Notwithstanding any other law, a provision of any
4 of the governing documents of a common interest development
5 shall be void and unenforceable if it does any of the following:

6 (1) Prohibits, or includes conditions that have the effect of
7 prohibiting, the use of low water-using plants as a group.

8 (2) *Prohibits, or includes conditions that have the effect of*
9 *prohibiting, the use of artificial turf or any other synthetic surface*
10 *that resembles grass.*

11 ~~(2)~~

12 (3) Has the effect of prohibiting or restricting compliance with
13 either of the following:

14 (A) A water-efficient landscape ordinance adopted or in effect
15 pursuant to subdivision (c) of Section 65595 of the Government
16 Code.

17 (B) Any regulation or restriction on the use of water adopted
18 pursuant to Section 353 or 375 of the Water Code.

19 (b) (1) This section shall not prohibit an association from
20 applying landscaping rules and regulations established in the
21 governing documents, to the extent the rules and regulations fully
22 conform with the requirements of subdivision (a).

23 (2) *This section shall not prohibit an association from applying*
24 *landscape rules and regulations established in governing*
25 *documents that establish design standards and quality standards*

1 *for the installation of artificial turf, or any other synthetic surface*
2 *that resembles grass, to the extent the rules and regulations*
3 *conform with the requirement of paragraph (2) of subdivision (a).*

4 SECTION 1. ~~Section 7102 of the Labor Code is amended to~~
5 ~~read:~~

6 ~~7102. Every building that is of reinforced concrete construction,~~
7 ~~with reinforced concrete floors, shall have the floor filled in, either~~
8 ~~with forms or concrete, on each floor before the beginning of work~~
9 ~~upon the walls of the second floor above or the beginning of work~~
10 ~~upon the floor of the next floor above.~~